

Electronically Filed

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| Declaration | Attorney Docket No. | SEEK-009 |
| | Confirmation No. | 2863 |
| | First Named Inventor | ROSLER, ELEN S. |
| | Application Number | 10/590,751 |
| | Filing Date | June 27, 2007 |
| | Group Art Unit | 1631 |
| | Examiner Name | Zeman, Mary K |
| Title: "Biological Dataset Profiling of Asthma and Atopy" | | |

Declaration under 37 C.F.R. §1.132; and MPEP 716.10

Sir:

I, Dr. Ellen Berg, do hereby declare as follows:

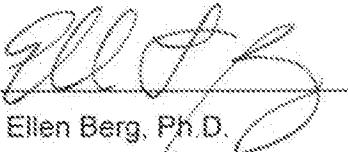
I am a co-inventor of the above captioned patent application, and of the cited reference, U.S. Patent no. 6,656,695.

The presently pending claims have been rejected under 35 U.S.C. 102(e) as anticipated by the issuance of U.S. Patent no. 6,656,695. The patent describes work developed by myself and co-inventors Jennifer Melrose and Eugen Butcher. U.S. Patent no. 6,656,695 and the subject application are assigned to BioSeek LLC.

As set forth in MPEP §715.01(a), I hereby unequivocably assert that any subject matter described in U.S. Patent no. 6,656,695 and later claimed in the present application was solely conceived and invented by myself and Jennifer Melrose.

I hereby declare that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

By 
Ellen Berg, Ph.D.

Date: 14 Jan 2011